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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

ILIO'ULAOKALANI COALITION, a) CIVIL NO.04-00502 DAE BMK
Hawaii, nonprofit corporation;)
NA'IMI PONO, a Hawaii)
unincorporated association; and) NOTICE OF FILING OF
KIPUKA, a Hawaii unincorporated) SECOND PERIODIC PROGRESS
association,) REPORT RELATING TO RANGE 11T;
Plaintiffs,) EXHIBIT "A"; ATTACHMENT "1";
v.) FIGURES "1"--"24";
) ENCLOSURES "1"--"3";
) CERTIFICATE OF SERVICE
)
ROBERT M. GATES, Secretary of)
United States Department of)
Defense; and FRANCIS J. HARVEY,)
Secretary of the United States)
Department of the Army,)
Defendants.)
_____)

NOTICE OF FILING OF SECOND PERIODIC REPORT
RELATING TO RANGE 11T

In its Order Setting Interim Injunction dated December 29, 2006, the Court ordered the United States Army ("Army") to undertake additional mitigation measures related to training and construction projects associated with the transformation of the 2nd Brigade of the 25th Infantry into a Stryker Brigade Combat Team ("SBCT"). In its Order, the Court required the Army to periodically report on the status of specific mitigation measures and instructed the parties to confer on a proposed reporting schedule.

In accordance with the Court's Order and after consultation with Plaintiffs on an appropriate reporting schedule, the United States Army submitted its First Periodic Progress Report on March 30, 2007. Since the First Periodic Progress Report was filed, the parties continued their discussions on an appropriate schedule for periodic reporting. As a result of those discussions, the parties agreed that the Army will submit its Second Periodic Progress Report relating only to Range 11T on May 29, 2007, will file a Third Periodic Progress Report on Range 11T, East Range, SBCT Motor Pool and Kahuku Training Area no later than July 2, 2007, and will file quarterly on these projects thereafter.

In accordance with the Court's Order and agreement with Plaintiffs, the Army hereby submits the attached Second Periodic Progress Report on Range 11T.

Respectfully submitted this 29th day of May, 2007.

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/s/ Thomas A. Helper for
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Hawaii, nonprofit corporation;)
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KIPUKA, a Hawaii unincorporated)
association,)
Plaintiffs,)
v.)
ROBERT M. GATES, Secretary of)
United States Department of)
Defense; and FRANCIS J. HARVEY,)
Secretary of the United States)
Department of the Army,)
Defendants.)

)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served electronically on the following at his last known address:

David Henkin dhenkin@earthjustice.org

Isaac H. Moriwake imoriwake@earthjustice.org

Attorneys for Plaintiffs

DATED: May 29, 2007, at Honolulu, Hawaii.

/s/ Thomas A. Helper